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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ROLAND ADAMS,
aka Peter Brown,
15 aka Harold Whiteker,

16 Defendant.

2:02-CR-00257-WBS

STIPULATION FOR FINAL ORDER OF
FORFEITURE AND ORDER THEREON

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18 IT IS HEREBY STIPULATED by and between plaintiff United States of America
19 and petitioners Bodisere Okonma and Wells Fargo Home Mortgage (“Wells Fargo”)¹, to
20 compromise and settle their interests in the following property, and to stipulate and
21 consent to the entry of a Final Order of Forfeiture as to the following assets pursuant to
22 18 U.S.C. § 982:

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1 World Savings Bank, FSB was the original lender designated on the Deed of Trust. However, World Savings Bank, FSB was acquired by Wachovia Corporation and the loan became part of Wachovia Mortgage. Wachovia Mortgage is now a part of Wells Fargo Home Mortgage, a division of Wells Fargo Bank, N.A. On or about January 20, 2012 through January 23, 2012, Roland Adams’ Wachovia Mortgage loan changed to Wells Fargo Home Mortgage.

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- a. A sub *res* in the amount of \$111,962.76 in lieu of the real property located in Sacramento County, California, at 9501 Misty River Way, Elk Grove, California, 95624, described as Lot 68 on the Vesting Map of Tributary Pointe Unit A, Village 6B recorded July 10, 2000, in Book 273 of Maps, Map. No. 10, records of Sacramento County, Assessor's Parcel Number: 127-0540-109,
- b. Approximately \$23,372.50 in U.S. Currency seized from U.S. Bank account number 1 534 9019 2959, in the name of Roland Adams and/or Adams Business Services, plus any accrued interest,
- c. Approximately \$31,907.44 in U.S. Currency seized from Merrill Lynch account number 6FL22277, in the name of Roland Adams, plus any accrued interest,
- d. Approximately \$13,848.27 in U.S. Currency seized from Merrill Lynch account number 6FL22302, in the name of Melanie Adams and Roland Adams, plus any accrued interest,
- e. Approximately \$18,579.18 seized from Merrill Lynch account number 6FL22287, in the name of Nosakhare Adams and Roland Adams, plus any accrued interest,
- f. A Sony Vaio laptop computer, Model #PCG-9B3L, with hard drive, DVD-Rom, CD-RW, 3.5 inch floppy drive and all its components, serial no. 283471303217395, and
- g. The following Internet domain names:
 - (i) Afribankcorp.com
 - (ii) Bancofafrica.com
 - (iii) Bancofeasterncaribbean.com

This stipulation for Final Order of Forfeiture is entered into between the parties pursuant to the following terms:

1. On August 18, 2003, defendant Roland Adams entered into a plea agreement in which he pled guilty to violations of 18 U.S.C. § 371 (conspiracy to commit mail and wire fraud) and 18 U.S.C. § 1956(h) (conspiracy to launder money). On September 23, 2003, defendant Roland Adams and the United States of America entered into a Stipulation for Entry of a Preliminary Order of Forfeiture Re: Certain Personal Properties listed above in paragraphs b through g. On May 16, 2007, this Court ruled that \$111,962.76 of the real property located at 9501 Misty River Way, Elk Grove, California, APN: 127-0540-109, was directly traceable to fraud proceeds and, in the alternative, Roland Adams' interest in the real property is forfeitable as a substitute asset. The Court entered a Preliminary Order of Forfeiture on October 10, 2003 and an *Amended* Preliminary Order of Forfeiture on June 5, 2007. Pursuant to 18 U.S.C. § 982(b)(1), incorporating 21 U.S.C. § 853(n)(1), the United States gave direct

1 notice to Bodisere Okonma and World Savings Bank, and published notice in *The Daily Recorder* on
2 April 16, 23, and 30, 2008.

3 2. Bodisere Okonma filed a Petition for Ancillary Hearing on June 19, 2006, claiming an
4 interest in the real property located at 9501 Misty River Way, Elk Grove, California, and the funds
5 from the bank accounts listed above in paragraphs b through e.

6 3. World Savings Bank filed a Petition of Ancillary Hearing on June 20, 2006, claiming a lien
7 holder interest in the real property located at 9501 Misty River Way, Elk Grove, California. A
8 Stipulation for Expedited Settlement Agreement and Order Thereon was lodged on October 3, 2006,
9 between the United States and World Savings Bank regarding the real property. On November 1,
10 2012, an *Amended* Stipulation for Expedited Settlement Agreement and Order Thereon was entered
11 between the United States and Wells Fargo regarding the real property. No other persons or entities
12 have come forward and the time for maintaining a claim has expired.

13 4. The United States and petitioner Bodisere Okonma have reached a settlement regarding her
14 claims to the real property and the bank accounts. The parties stipulate that Wells Fargo is a lien holder
15 on the real property located at 9501 Misty River Way, Elk Grove, California. The parties further
16 stipulate that the Preliminary Order of Forfeiture remains valid to the extent it orders the forfeiture of
17 Roland Adams' interest in the above-listed assets.

18 5. Bodisere Okonma agreed to pay the United States a sub *res* in the amount of \$111,962.76 in
19 lieu of the United States forfeiting the real property located at 9501 Misty River Way, Elk Grove,
20 California. The United States received a check in the amount of \$111,962.76 on November 22, 2013
21 from the title company handling the sale of the real property. According to the title company, Wells
22 Fargo was paid in full on November 21, 2013 by wire transfer for the amounts owed on their loan for
23 this real property. Bodisere Okonma stipulates and agrees to forfeiture to the United States of all of her
24 right, title, and interest in the assets listed above in paragraphs a through g.

25 6. Petitioners Bodisere Okonma and Wells Fargo agree to release and hold harmless the United
26 States, and any agents, servants, and employees of the United States (and any involved state or local
27 law enforcement agencies and their agents, servants, or employees), in their individual or official
28 capacities, from any and all claims that currently exist or that may arise as a result of the Government's

1 actions against and relating to the real property. As against the United States and its agents, petitioners
2 Bodisere Okonma and Wells Fargo agree to waive the provisions of California Civil Code § 1542,
3 which provides:

4 "A general release does not extend to claims which the creditor does not
5 know or suspect to exist in his or her favor at the time of executing the
6 release, which if known by him or her must have materially affected his
7 or her settlement with the debtor."

8 7. Petitioners understand and agree that by entering into this stipulation of their interest in the
9 above-listed assets, they waive any right to litigate further their ownership interest in the above-listed
10 assets and to petition for remission or mitigation of the forfeiture. Thereafter, if this Stipulation for
11 Final Order of Forfeiture is approved by the Court, then unless specifically directed by an order of the
12 Court, Bodisere Okonma and Wells Fargo shall be excused and relieved from further participation in
13 this action.

14 8. The parties agree to execute further documents, to the extent reasonably necessary, to convey
15 clear title to the above-listed assets to the United States and to implement further the terms of this
16 Stipulation. Each party agrees to bear its own costs and attorneys' fees, except as otherwise set forth
17 herein, and except as to any attorneys' fees and costs that were recovered when the loan was paid in
18 full.

19 9. The terms of this Stipulation shall be subject to approval by the United States District Court.
20 Violation of any term or condition herein shall be construed as a violation of an order of the Court.

21 10. The court shall maintain jurisdiction over this matter to enforce the terms of this stipulation.

22 DATED: 1/13/14

BENJAMIN B. WAGNER
United States Attorney

23 /s/ Kevin C. Khasigian
24 KEVIN C. KHASIGIAN
Assistant U.S. Attorney

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26 DATED: 1/9/14

/s/ Bodisere Okonma Adams
BODISERE OKONMA ADAMS
Petitioner

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2 DATED: 1/9/14

/s/ Bruce Locke
BRUCE LOCKE
Attorney for Petitioner Bodisere Okonma

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5 DATED: 1/10/14

/s/ Christopher Peterson
CHRISTOPHER PETERSON
Attorney for Wells Fargo Home Mortgage
7 (Signatures retained by attorney)

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9 **ORDER**

10 The Court having received, read, and considered the foregoing Stipulation of the
11 parties, and good cause appearing therefrom, the Stipulated Settlement is hereby
12 ADOPTED and APPROVED, and the Court hereby enters a Final Order of Forfeiture on
13 the terms set forth in the parties' Stipulated Settlement.

14 It is so ORDERED.

15 Dated: January 14, 2014

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17 WILLIAM B. SHUBB
18 UNITED STATES DISTRICT JUDGE

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